

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TY SCHISSEL,

Plaintiff,

-vs-

Case No. 06-C-747

STEVEN B. CASPERSON, RICHARD VERHAGEN,
and PATRICK LYNCH,

Defendants.

ORDER

Plaintiff Ty Schissel, who is currently incarcerated at the Jackson Correctional Institution, filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. The plaintiff is proceeding on an equal protection claim based on allegations that other prisoners get security overrides to go to “lesser security institutions before their ‘scheduled’ dates” while the plaintiff does not. (Order of Oct. 4, 2006, at 8.) There are several motions pending which will be addressed herein.¹

The plaintiff has filed two motions for extension of time to respond to the defendants’ motion for summary judgment. The defendants filed their summary judgment motions on May 24, 2007. On June 19 and July 16, 2007, the plaintiff filed motions to extend time in which he requests additional time to respond so that he can conduct research

¹ The defendants’ fully-briefed motion for summary judgment will be addressed in a subsequent Decision and Order.

and consult with the person who is helping him with this case. The defendants did not file any response to the plaintiff's motions and the court finds that his requests are reasonable. The court notes that the plaintiff filed his response to the defendants' motion for summary judgment on July 17, 2007. In any event, the plaintiff's motions will be granted.

On July 17, 2007, the plaintiff filed his motion to deny defendants' motion for summary judgment. The plaintiff's "motion" is actually part of his response to defendants' summary judgment motion. No motion is necessary; the court recognizes that the plaintiff's response argues that the defendants' motion should be denied and those arguments will be addressed. Accordingly, the plaintiff's motion to deny the defendants' motion for summary judgment will be denied as moot.

IT IS THEREFORE ORDERED that the plaintiff's motion for extension of time (Docket #36) is **GRANTED**.

IT IS FURTHER ORDERED that the plaintiff's motion for extension of time (Docket #38) is **GRANTED**.

IT IS FURTHER ORDERED that the plaintiff's motion for order to deny defendants' motion for summary judgment (Docket #41) is **DENIED AS MOOT**.

Dated at Milwaukee, Wisconsin, this 7th day of December, 2007.

SO ORDERED,

s/ Rudolph T. Randa

HON. RUDOLPH T. RANDA
Chief Judge